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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/701,235	11/04/2003	Robert A. West	03-987	5256
20306 7590 06/01/2007 MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP 300 S. WACKER DRIVE 32ND FLOOR CHICAGO, IL 60606				
			EXAMINER BARTLEY, KENNETH	
			ART UNIT 3693	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/701,235	Applicant(s) WEST, ROBERT A.	
	Examiner Kenneth L. Bartley	Art Unit 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11-16 and 31-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-9, 11-16 and 31-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/07/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Receipt of Applicant's amendment and response filed on March 7, 2007 is acknowledged.

Response to Amendment

2. Claims 1 and 3-9 are currently amended. Claims 2, 10, and 17-30 have been canceled. Claims 31-40 are new. Claims 1, 3-9, 11-16 and 31-40 are pending in the application and are provided to be examined upon their merits.
3. Objections to the specifications are withdrawn.
4. Receipt of IDS is acknowledged.
5. Claim 18 and 19 objections are withdrawn since they related to canceled claims.
6. The statutory type Double patenting rejection cited in the earlier office action is withdrawn. However, see below regarding nonstatutory double patenting.

Response to Arguments

7. Applicant's arguments filed March 7, 2007 have been fully considered but they are not persuasive.
8. Applicant asserts on page 10, first and second paragraphs, regarding claim 1 that U.S. Patent 5,339,392 to Risberg et al., does not disclose an event driven workspace that upon detecting a trigger, a plurality of windows in a workspace are displayed according to a second state, which comprises a different

arrangement of the plurality of windows than the first state. The Examiner respectfully disagrees. Risberg et al., discloses an "Event Trigger" an "Event Script" and a "Display Object" (Fig. 7) as well as "states" such as "Normal" and "Alert" (Fig. 2). Further, Risberg et al., discloses, "A script is a user defined string of commands that are executed in sequence." (col. 10, lines 9-11). Also, "...the active document can be comprised of one or more sheets each of which is composed in a customer manner..." (Abstract) where "...several sheets may be shown in separate "windows" or layers on the display." (col. 5, lines 33-37). Therefore, Risberg et al., discloses event triggers, alarms, and states, and multiple windows. Further, and as detailed below, Hervet et al., discloses event triggers with a different arrangement of a plurality of windows with a different state.

9. **Based upon the foregoing analysis and the analysis provided below for the amended and new claims, the Examiner maintains rejection of the pending claims over their prior rejection.**

Double Patenting

10. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where

the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

11. Claims 1, 7 and claims 8 and 9 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and claims 32 and 33 of copending Application No. 11/415395.

Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 1 and 7 when combined include consideration of a limiting condition to restrict activation of a window which is essentially the same as claim 1 in 11/415,395. Also, claims 8 and 9 are not patentably distinct from claims 32 and 33.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

14. Claims 1, 3-9, 11, 14, 15, and 31-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,339,392 to Risbert et al., in view of U.S. Patent 7,146,615 to Hervet, et al..

Regarding applicant claim 1:

1. (Currently Amended) A method for an event driven workspace in an electronic trading environment, the method comprising:

defining a plurality of windows to be associated with a workspace, wherein the plurality of windows are associated with at least two applications and the plurality of windows are used to display information pertaining to one or more tradeable objects on a display unit, and wherein each of the plurality of windows is displayed according to a first state

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in the workspace, the first state comprising a particular arrangement of the plurality of windows in the workspace;

Risberg, et al. discloses:

**"The active document can be comprised of one or more sheets..."
(Abstract)**

**"Active document" ... means a video displayed document of one or more
"sheets" of the user's design..." (col. 2, lines 31-33)**

**"Several sheets may be shown in separate "windows" or layers on the
display." (col. 5, lines 33-37)**

**"The invention pertains to the field of application programs for monitoring
and managing complex systems..." (col. 1, lines 31-34)**

**"The tools provided ... allow the user to layout each sheet of the active
document with: quotes of prices, volume etc. on various financial
instruments such as stocks, bonds, etc...." (Abstract)**

**"A quote is either in the normal state 27 or the alert state 28." (col. 10, lines
6-7)**

**"When a real time data update comes into a normal state quote and does
not trigger an alert, the "normal update" script is run." (col. 10, lines 7-9)**

**Also, "A script is a user defined string of commands that are executed in
sequence." (col. 10, lines 9-11)**

**"The user can select which real time data is to be displayed, where it is to
be displayed and in what format and style it is to be displayed." (Abstract)**

defining a trigger to be used to activate the workspace according to a second state;

**"When an update comes in which triggers an alert, the "begin alert" script
30 is run." (col. 10, lines 19-20). This activates a second state (Fig. 2).**

detecting the trigger associated with the workspace by analyzing one or more incoming
data feeds having a relation to the one or more tradeable objects; and

**"The tools provided ... allow the user to layout each sheet of the active
document with: quotes of prices, volume etc. on various financial
instruments such as stocks, bonds, etc...." (Abstract)**

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“The user may also define alarm limits against which real time data updates are compared as well as scripts of commands to be performed in case an alarm limit is exceeded.” (Abstract).

upon detecting the trigger, changing a state of the plurality of windows being displayed according to the second state in the workspace, the second state comprising a different arrangement of the plurality of windows in the workspace than the first state, wherein the second state provides a user with a more desirable arrangement of the plurality of windows in the workspace based on the defined trigger.

“When an update comes in which triggers and alert, the “begin alert” script 30 is run. This script takes the quote object into the alert state...” (col. 10, lines 19-21). Presumably the alert script could define a separate set of sheets.

While Risberg, et al., in the business of event display screens, provides for a plurality of sheets and triggers that lead to different states, he does not detail event triggers with a different arrangement of a plurality of windows.

Hervet et al., in the same field of endeavor of event driven display screens discloses:

“A control module (COR) for correlating event/action pairs is provided, an event corresponding to the imbalance of the state of an operation system and an action corresponding to an initialization or a modification of the display or the representation of one or several scenes constituting the applications. The invention is useful for developing interactive applications, in particular on TV channel, Internet network or the like.” (Abstract)

“These applications may involve services as diverse as weather forecasts, management of stock market portfolios, TV, radio or similar magazine-type applications.” (col. 1, lines 17-19)

With reference to the aforesaid figures, it is indicated that the successive screen pages comprise at least one window for displaying a set of events, designated as list of Ev/Actions, a window for displaying a triggered action associated with one of the events of this set of events and at least one window for parameterizing the triggered action, these windows being denoted Param 1, Param 2 in the aforesaid figures. (col. 19, lines 14-21)

Hervet et al., provides for a plurality of windows associated with triggering events that correspond to a different state. Therefore, it would have been obvious to one

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skilled in the art at the time of invention to include a different arrangement of window(s) for displaying a triggered action related to a change in state motivated by Hervet et al, who provides such ability and this would permit the user to move to a different window during a trigger event in order, for example, to check a portfolio of stocks and determine if there a stock is owned and therefore could effect the financial health of the portfolio.

Regarding claim 3:

3. (Currently Amended) The method of claim 1, further comprising:
before changing a state of the plurality of windows being displayed in the workspace, notifying the user that the trigger associated with the virtual workspace has been detected;

Risberg, et al. discloses:

“...the alert scripts can perform operations such as changing a color, flashing an object, sounding an audible alarm or executing an external program.” (col. 4, lines 21-23)

detecting a user input indicating a request to activate the workspace; and

“Buttons can be programmed to carry out commonly performed operations such as moving quickly to an important page...” (col. 4, lines 16-19).

changing the state of the plurality of windows to be displayed according to the second state in the workspace.

“When an update comes in which triggers and alert, the “begin alert” script 30 is run. This script takes the quote object into the alert state...” (col. 10, lines 19-21)

Regarding claim 4:

4. (Currently Amended) The method of claim 1, further comprising:
defining a trigger-on state for each of the plurality of windows associated with the workspace; and

Risberg, et al. discloses:

“When an update comes in which triggers and alert, the “begin alert” script 30 is run.” (col. 10, lines 19-20).

when the workspace is displayed on the display unit, displaying each of the plurality of windows on the display unit based on the trigger-on state associated with each window.

“Active document” ... means a video displayed document of one or more “sheets” of the user’s design...” (col. 2, lines 31-33). Therefore, the user can create script in the “normal state” to create a plurality of sheets.

Regarding claim 5:

5. (Currently Amended) The method of claim 4, wherein the trigger-on state activates window characteristics upon detection of the trigger.

Risberg, et al. discloses:

“...the alert scripts can perform operations such as changing a color, flashing an object, sounding an audible alarm or executing an external program.” (col. 4, lines 19-23).

Regarding claim 6:

6. (Currently Amended) The method of claim 1, further comprising:
defining a trigger-off state for each of the plurality of windows associated with the workspace;
detecting an expiration of the trigger; and

Risberg, et al. discloses:

“Then when an update comes in which is back in the normal range, the “end alert” script will be run, followed by the “normal update script” (col. 10, lines 23-25).

changing a state of each window associated with the workspace based on the trigger-off state specified for each of the plurality of windows.

“Thus, the four scripts provide a way of checking for changes in the state, or for staying in the same state.” (col. 10, lines 25-27).

Regarding claim 7:

7. (Currently Amended) The method of claim 1, further comprising:
defining at least one limiting condition to be used to restrict the activation of at least one window associated with the workspace;
detecting the at least one limiting condition before activating the workspace; and

Risberg, et al. discloses:

“The user may define alarm limits against which real time data updates are compared as well as scripts of commands to be performed in case an alarm limit is exceeded.” (Abstract)

preventing the at least one window associated with the workspace from being displayed on the display unit upon detecting the at least one limiting condition.

“Thus the four scripts provide a way of checking for changes in the state, or for staying in the same state.” (col. 10, lines 25-27). The system then

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seems capable of staying in the same state since the user can define the alarm limits.

Regarding claims 8 and 9:

8. (Currently Amended) The method of claim 7, wherein the at least one limiting condition is at least in part based on a window characteristic.

9. (Currently Amended) The method of claim 7, wherein the at least one limiting condition is at least in part based on a user action.

Risberg, et al. discloses:

"Also, the above and below limits can be activated and deactivated by clicking on the check boxes." (col. 9, lines 61-63).

Regarding claims 11, 14 and 15:

11. (Original) The method of claim 1, wherein the trigger is defined at least in part based on trader related data.

14. (Original) The method of claim 1, wherein the trigger is defined at least in part based on market related data.

15. (Original) The method of claim 1, wherein the trigger is defined at least in part based on news data.

Risberg, et al. discloses:

The Event Trigger is a specification of conditions under which the user wishes to do extra processing on the Active Object. For example, the user can set alarm limits such as a certain price or trading volume for a particular quote Active Object... (col. 23, lines 5-7).

Regarding claim 31:

31. (New) The method of claim 1, wherein a state of a window is defined as one or more of the following: active or inactive, maximized or minimized, focus of the window, hidden window, size of the window, or position of the window within the workspace.

Risberg, et al. discloses:

"The menu of commands allows the user to display an index of sheets which have been defined for a particular active document file, and to select the sheet to view. The menu options also include commands to manage sheets and sheet files, and to control the appearance of the display and the objects within it." (col. 5, lines 19-24). Further, "...when a dialog box first appears, the item in the upper left will have the focus." (col. 31, lines 15-16)

Regarding claim 32:

32. (New) The method of claim 1, wherein according to the second state, one or more windows are automatically made active or inactive.

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Risberg, et al. discloses:

"An apparatus and method according to the teachings of the invention provides a computer facility... whereby a user, using a collection of layout tools may define an active document. "Active document" as that term is used herein means a video displayed document of one or more "sheets" of the user's design...user defined scripts of commands to be processed...when an alarm limit is exceeded." (col. 2, lines 31-39) Therefore, the user can make a second state active or inactive with user defined scripts of commands.

Regarding claims 33, 35 and 36:

33. (New) The method of claim 1, wherein according to the second state, one or more windows are automatically maximized or minimized.

35. (New) The method of claim 1, wherein according to the second state, one or more windows are automatically placed on top of the remaining plurality of windows.

36. (New) The method of claim 1, wherein according to the second state, one or more windows are automatically resized from the first state.

Risberg, et al. discloses:

"The menu of commands allows the user to display an index of sheets which have been defined for a particular active document file, and to select the sheet to view. The menu options also include commands to manage sheets and sheet files, and to control the appearance of the display and the objects within it." (col. 5, lines 19-24).

Regarding claim 34:

34. (New) The method of claim 1, wherein according to the second state, a focus on one or more windows is automatically adjusted from the first state.

Risberg, et al. discloses:

Further, "...when a dialog box first appears, the item in the upper left will have the focus." (col. 31, lines 15-16). Script could be written to perform this.

Regarding claim 37:

37. (New) The method of claim 1, wherein according to the second state, one or more windows are automatically moved in the workspace from the first state.

Risberg, et al. discloses:

"The menu also includes commands to rearrange the location of the display object windows or boxes (the term boxes will be used herein to avoid confusion with the term windows in which separate processes may be running in multitasking environment or DOS windows environments)" (col. 5, lines 24-29) "...the menu includes options to change the order of the layers and move any particular box to the top of a stack." (col. 5, lines

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30-33). Since alarms are from scripts... "The things that can be scripted to happen upon occurrence of an alarm condition are limited only by the imagination of the user." (col. 23, lines 15-18). Therefore, a script could be written that activates window characteristics upon detection of the trigger.

Regarding claims 38 and 39:

38. (New) The method of claim 1, wherein at least one of the plurality of windows is used to display market information.

39. (New) The method of claim 1, wherein at least one of the plurality of windows is used to display news information.

Risberg, et al. discloses:

"...the program can support data feeds from Reuters Market Feed 2000/IDN, Telekurs Ticker, CMQ Telerate MarketFeed, Canquote and Quotron. (col. 3, lines 17-20)

Regarding claim 40:

40. (New) A computer readable medium, for providing an event driven workspace, the computer readable medium containing a program containing instructions to cause a processor to perform the following steps:

defining a plurality of windows to be associated with a workspace, wherein the plurality of windows are associated with at least two applications and the plurality of windows are used to display information pertaining to one or more tradeable objects on a display unit, and wherein each of the plurality of windows is displayed according to a first state in the workspace, the first state comprising a particular arrangement of the plurality of windows in the workspace;

Risberg, et al. discloses:

"...a computer facility... whereby a user, using a collection of layout tools may define an active document." (col. 2, lines 27-30)

**"The active document can be comprised of one or more sheets..."
(Abstract)**

"The invention pertains to the field of application programs for monitoring and managing complex systems..." (col. 1, lines 31-34)

"Several sheets may be shown in separate "windows" or layers on the display." (col. 5, lines 33-37)

"The tools provided ... allow the user to layout each sheet of the active document with: quotes of prices, volume etc. on various financial instruments such as stocks, bonds, etc...." (Abstract)

defining a trigger to be used to activate the workspace according to a second state;
“When an update comes in which triggers and alert, the “begin alert” script 30 is run.” (col. 10, lines 19-20).

“A script is a user defined string of commands that are executed in sequence.” (col. 10, lines 10-11).

detecting the trigger associated with the workspace by analyzing one or more incoming data feeds having a relation to the one or more tradeable objects; and

“...alarm limits against which real time data updates are compared as well as scripts of commands to be performed in case an alarm limit is exceeded.” (Abstract). Also, “The tools provided ... allow the user to layout each sheet of the active document with: quotes of prices, volume etc. on various financial instruments such as stocks, bonds, etc....” (Abstract)

upon detecting the trigger, changing a state of the plurality of windows being displayed according to the second state in the workspace, the second state comprising a different arrangement of the plurality of windows in the workspace than the first state; wherein the second state provides a user with a more desirable arrangement of the plurality of windows in the workspace based on the defined trigger.

“When an update comes in which triggers and alert, the “begin alert” script 30 is run. This script takes the quote object into the alert state...” (col. 10, lines 19-21)

While Risberg, et al., in the business of event display screens, provides for a plurality of sheets and triggers that lead to different states, he does not detail event triggers with a different arrangement of a plurality of windows.

Hervet et al., in the same field of endeavor of event driven display screens discloses:

“A control module (COR) for correlating event/action pairs is provided, an event corresponding to the imbalance of the state of an operation system and an action corresponding to an initialization or a modification of the display or the representation of one or several scenes constituting the applications. The invention is useful for developing interactive applications, in particular on TV channel, Internet network or the like.” (Abstract)

“These applications may involve services as diverse as weather forecasts, management of stock market portfolios, TV, radio or similar magazine-type applications.” (col. 1, lines 17-19)

With reference to the aforesaid figures, it is indicated that the successive screen pages comprise at least one window for displaying a set of events, designated as list of Ev/Actions, a window for displaying a triggered action associated with one of the events of this set of events and at least one window for parameterizing the triggered action, these windows being denoted Param 1, Param 2 in the aforesaid figures. (col. 19, lines 14-21)

Hervet et al., provides for a plurality of windows associated with triggering events that correspond to a different state. Therefore, it would have been obvious to one skilled in the art at the time of invention to include a different arrangement of window(s) for displaying a triggered action related to a change in state motivated by Hervet et al, who provides such ability and this would permit the user to move to a different window during a trigger event in order, for example, to check a portfolio of stocks and determine if there a stock is owned and therefore could effect the financial health of the portfolio.

15. Claims 12, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the reference as combined in section (14) above in further view of Official Notice.

Regarding claims 12 and 13:

12. (Original) The method of claim 11, wherein the trader related data comprises profit/loss ("P/L") trader related data.

13. (Original) The method of claim 11, wherein the trader related data comprises net position trader related data.

While Risberg et al., discloses... “A quote tools displays the value of an issue, including a user defined set of other fields pertaining to that particular company in a display style specified by the user. For example, a brief style displays only the price where a comprehensive style displays all the available fields.” (col. 3, lines 39-41), he does not disclose profit/loss or net position trader related data. The Examiner takes Official Notice that it would have been obvious to one skilled in the art at the time the invention to include profit/loss and net position data as part of financial analysis and that this provides the trader with useful information about whether or not to buy or sell a stock and that such information can enhance investment returns to the user.

Regarding claim 16:

16. (Original) The method of claim 1, wherein the trigger comprises a time trigger.

While Risberg et al., provides for alarm limits and triggers, he does not disclose a time trigger. The Examiner takes Official Notice that it would have been obvious to one skilled in the art at the time of invention to include time considerations for a trigger and that it would be useful, for example, to move to a normal state after a certain period of time rather than having to always reset a state and that this would allow a trader to more effectively monitor changes in a stock price.

Conclusion

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

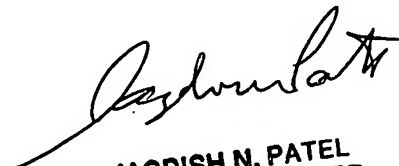
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth L. Bartley whose telephone number is (571)

272-5230. The examiner can normally be reached on Monday through Friday, 8:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jagdish Patel can be reached on (571) 272-6748. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JAGDISH N. PATEL
PRIMARY EXAMINER